

Infringement Contention

1. **Infringing Product Specifications:**

Company Name:	The Kong Company
Company Location:	16191-D Table Mountain Parkway Golden, CO 80403
Product Name:	KONG at home Stainless Steel Bowl

Plaintiff alleges that at least the above listed product infringes U.S. Patent No. 8,286,589. Plaintiff reserves the right to amend to include the identity, description or model number of additional products pending additional discovery

2. The above identified product infringes the claims of U.S. Patent No. 8,286,589 as follows:

- Claim 1 is directly infringed under 35 USC §271 and §281
- Claim 2 is infringed under 35 USC §271 and §281, either directly or indirectly as will be determined pursuant to additional discovery
- Claim 7 is directly infringed under 35 USC §271 and §281
- Claim 9 is directly infringed under 35 USC §271 and §281
- Claim 10 is directly infringed under 35 USC §271 and §281

3. The following patent infringement analysis compares US Patent No. 8,286,589 against the allegedly infringing product identified by pictures in the claims chart attached hereto.

4. Priority date of US Patent No. 8,286,589 is based on a parent application of 03/31/2000.

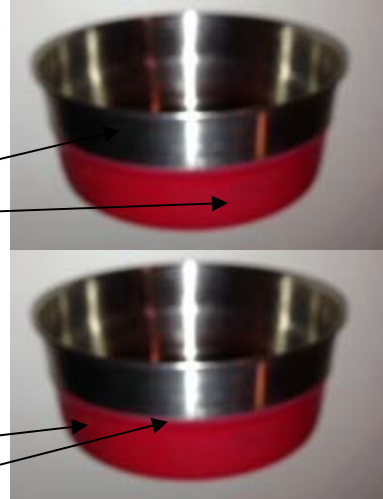
5. Defendant continues to wilfully infringe US Patent No. 8,286,589 since at least the filing of this action. Additionally, evidence of earlier willfulness will be determined pursuant to additional discovery.

CLAIMS CHART

The following patent infringement analysis compares the newly issued US Patent No. 8,286,589 with the potentially infringing product identified by pictures. The Claims of US Patent No. 8,286,589 are identified below as follows:

US Pat 8,286,589 - Claim 1

1. A single member animal feeder substantially comprising:
a bowl formed of stainless steel or other metal;
a cover placed about at least a portion of an exterior of said bowl in a continuous direct contact arrangement, said cover remaining affixed to said bowl during lifting, moving or repositioning; said cover resisting movements relative to a floor surface through adhering and frictionally impinging said cover to said floor surface; said cover having an annular sidewall extending up from a bottom exterior surface of said bowl, said sidewall surface terminating at an upper portion opposite said bottom outer surface that is coextensive with and circumscribes an outer surface of said bowl; said cover permanently attached to said bowl through frictional force and interference fit securely holding said cover on said bowl such that circumferential contact between the exterior surfaces of said bowl and the interior surfaces of said cover provides said frictional interference fit.



The above identified product is a single member animal feeder substantially comprising:

- a **bowl** formed of **stainless steel or other metal**;
- a **cover**
 - placed about at least a portion of an **exterior** of said bowl
 - in a **continuous direct contact** arrangement,
- said cover **remaining affixed** to said bowl during lifting, moving or repositioning;
- said cover **resisting movements relative to a floor surface** through adhering and frictionally impinging said cover to said floor surface;
- said **cover** having an **annular sidewall** extending up from a bottom exterior surface of said bowl,
 - said sidewall surface **terminating at an upper portion** opposite said bottom outer surface
 - that is **coextensive with and circumscribes an outer surface** of said bowl;
- said cover **permanently attached** to said bowl

- through frictional force and interference fit securely holding said cover on said bowl
- such that circumferential contact between the exterior surfaces of said bowl and the interior surfaces of said cover provides said frictional interference fit.

US Pat 8,286,589 - Claim 2

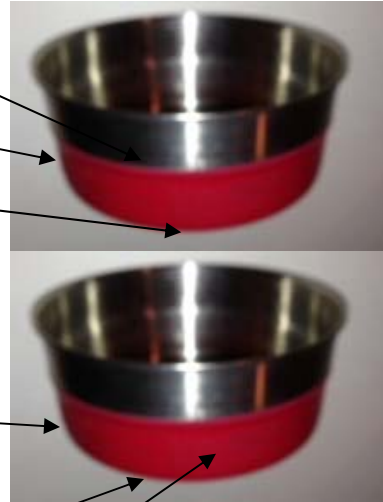
2. The animal feeder of claim 1, further comprising an adhesive placed between the exterior of the bowl and the interior of said cover.



The above identified product either includes an adhesive placed between the exterior of the bowl and the interior of said cover, in which case the claim is directly infringed, or is affixed in another manner, in which case the claim is indirectly infringed. This mechanism can only be determined pursuant to additional discovery.

US Pat 8,286,589 - Claim 7

7. An animal feeder substantially comprising:
a bowl formed of stainless steel or other metal, said bowl having an annular sidewall upwardly directed from a bowl bottom to form a holding volume;
said bowl bottom having an upper surface bounding a lower portion of the holding volume and a lower surface opposite the upper surface; and
a lower surface cover affixed to said lower surface, said lower surface cover is molded to said lower surface; said lower surface cover extends up from a bottom surface and up said at least a portion of said annular sidewall;
said lower surface cover circumscribes an outer edge of said lower surface of said bowl;
said lower surface cover is formed of a material capable of providing said lower surface with an increased resistance to slipping and/or sliding along a floor or other surface upon which the animal feeder is placed;
said lower surface cover is further formed of a material having insulating properties to provide insulation to the contents of the bowl and reduces the conduction of heat or cold from the bowl to the environment.



The above identified product is an animal feeder substantially comprising:

- a **bowl** formed of **stainless steel or other metal**, said bowl having an **annular sidewall** upwardly directed from a bowl bottom to form a holding volume;
- said bowl bottom having an **upper surface** bounding a lower portion of the holding volume and a lower surface opposite the upper surface; and
- a lower surface **cover** affixed to said lower surface, said lower surface cover is **molded** to said lower surface;
- said lower surface cover **extends up from a bottom surface** and up said at **least a portion** of said annular sidewall;
- said lower surface cover **circumscribes an outer edge** of said lower surface of said bowl;
- said lower surface cover is formed of a material capable of providing said lower surface with an **increased resistance to slipping and/or sliding** along a floor or other surface upon which the animal feeder is placed;
- said lower surface cover is further formed of a material having **insulating properties** to provide insulation to the contents of the bowl and reduces the conduction of heat or cold from the bowl to the environment.